



Crl.O.P.(MD)No.20417 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2026

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.20417 of 2022

R.Chellapandi

.. Petitioner

Vs.

1. The Inspector of Police
Mayiladumparai Police Station,
Theni District

2. Kaliyappan

.. Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the charge sheet in C.C No.123 of 2022 on the file of the learned Judicial Magistrate, Aundipatti and quash the same.

For Petitioner	: Mr.Vijayarathinam
For R-1	: Mr.Mohamed Riyaz Government Advocate(Crl.side)
For R2	: Mr. R.Senthil Kumar

ORDER

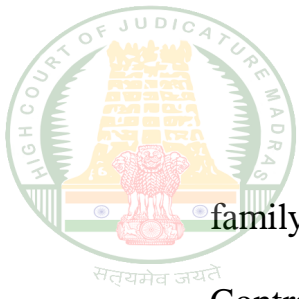
This Criminal Original Petition has been filed to quash the proceedings in C.C No.123 of 2022 on the file of the learned Judicial Magistrate, Aundipatti .



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2. Based on the complaint lodged by the second respondent herein a case has been registered by the first respondent in Crime No. 7 of 2022 for the offences under Sections 147,148,294(b),323,324 and 506(2) of IPC as against the petitioner and others. Thereafter this petitioner was arrayed as an accused in this case and the first respondent conducted investigation and filed final report . As per the final report there are prima facie materials available, thereby the trial Court has taken cognizance in CC No.123 of 2022 and the same is pending for trial. Challenging the said proceedings the present petition has been filed.

3. The learned counsel appearing for the petitioner would submit that the second respondent has registered a false case against the petitioner and the petitioner has been falsely implicated in this case and he has not involved in the above said occurrence. As per the case of prosecution the accused persons used obscene words and caused injuries using billhooks and also caused life threat. The victim sustained injuries and a complaint has been lodged. Infact the said dispute between the parties is in respect of local body election. The daughter of the defacto complainant was elected as seventh ward members and her husband was working in the union to supply water to the villagers. Using the said power of the Ward Member



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family of the defacto complainant's daughter sold the water to the Contractor. The brother of the petitioner namely Ashok Kumar and his wife Kayalvizhi gave complaint before the APDO, Mayilai Union. Based on the said complaint the said Amutha was directed to appear for enquiry. Immediately without appearing for enquiry lodged this false complaint. The respondent police without conducting proper investigation filed final report and without any prima facie materials the trial Court had also taken cognizance, therefore prayed to quash the proceedings as against the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the first respondent would submit that due to election motive all the accused persons assaulted the defacto complainant and his family members and thereby he lodged complaint. Based on the complaint lodged the first respondent registered a case in Crime No. 7 of 2022 for the offences under Sections 147,148,294(b),323,324 and 506(2) of IPC. Thereafter they examined the witnesses, recorded their statement and as per the evidence collected during investigation there are prima facie materials available to constitute the offence as against the petitioner and others and thereby filed final report before the trial Court. Based on the



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final report the trial Court has also taken cognizance and now the case is pending for trial and at this stage the contention of the petitioner cannot be considered and it is a matter for trial. There are no grounds to quash the proceedings and the petitioner has to face the trial and therefore the petition is liable to be dismissed.

5. Heard both sides and perused the materials available on record.

6. In this case based on the complaint lodged by the defacto complainant a case has been registered in Crime No. 7 of 2022 for the offences under Sections 147,148,294(b),323,324 and 506(2) of IPC. This petitioner was added as A1 and after registering FIR, the first respondent police conducted investigation and filed final report. During investigation the first respondent examined all the witnesses and recorded their statements. As per the statement of witnesses there are prima facie materials available to constitute the offence as against the petitioner and others. The doctor also issued wound certificate for the injuries sustained by the victim. As per the statement of witnesses and the records collected during investigation there are materials available to proceed with the case as against the petitioner and others. The trial Court also after careful



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consideration of all materials available had taken cognizance and now the case is pending trial. The veracity of the statement of witnesses can be tested during trial and not at this stage and this Court while considering the quash petition cannot conduct mini trial and the petitioner has to face trial. He is at liberty to put forth his defence before the trial Court and this petition has no merits and deserves to be dismissed.

7. Accordingly the Criminal Original Petition stands dismissed.

04.06.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Inspector of Police
Mayiladumparai Police Station,
Theni District

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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